



PATENT  
Attorney Docket No. BKE-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ponomarenko  
SERIAL NO.: 10/008,599 GROUP NO.: 2121  
FILING DATE: December 3, 2001 EXAMINER: Not yet assigned  
TITLE: Optical Multi-Gate Device and Method

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
FEB 26 2004  
TECHNOLOGY CENTER 2100  
RECEIVED  
FEB 26 2004  
TECHNOLOGY CENTER 2100

INFORMATION DISCLOSURE STATEMENT

Technology Center 2100

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filings date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

(3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee**, AND

the requisite Statement is below, AND

the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or

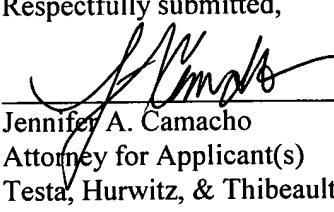
2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

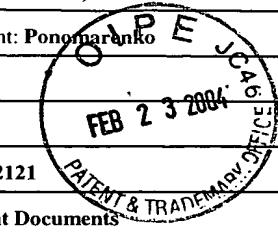
Date: 2/10/04  
Reg. No. 43,526

Tel. No.: (617) 248-7476  
Fax No.: (617) 248-7100

3016241

  
\_\_\_\_\_  
Jennifer A. Camacho  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

U.S. Department of Commerce, Patent and Trademark Office			Serial No. 10/008,599		Atty. Docket No. BKE-004		
			Applicant: Ponomarenko				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT							
(Use several sheets if necessary)							
			Group: 2121		Filing Date: December 3, 2001		
U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	4,262,992	Apr. 21, 1981	Berthold III John W	350	96.14	Apr. 18, 1979
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
Foreign Patent Documents							
Translation							
No	Yes			Country			
		AL	WO 01/67607	Romaniuk Charles C	International Publication		
		AM	EP 01 174 759	Lucent Technologies Inc.	European Patent Application		
		AN					
		AO					
		AP					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR	Gatti E et al. 'Logical Operations by Interferometric Techniques' Electronics Letters, 13 December 1968, UK, Vol. 4, no. 25, pages 556-557					
Date Considered					Examiner		
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>							

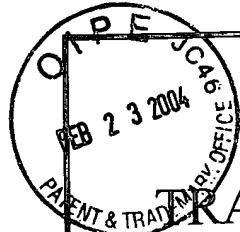


RECEIVED

FEB 26 2004

Technology Center 2100

RECEIVED  
JUN - 3 2004  
TECHNOLOGY CENTER 2100

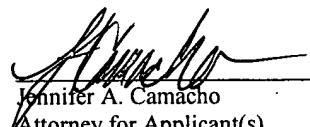


# TRANSMITTAL FORM

Application Serial Number	10/008,599
Filing Date	December 3, 2001
First Named Inventor	Ponomarenko
Group Art Unit	2121
Examiner Name	Not Yet Assigned
Attorney Docket No.	BKE-004
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input type="checkbox"/> Check Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul>	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <ul style="list-style-type: none"> <li><input type="checkbox"/> Formal Drawing(s)</li> </ul>	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <ul style="list-style-type: none"> <li><input type="checkbox"/> Appeal Brief (in triplicate)</li> </ul>
<input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]</li> </ul>	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <ul style="list-style-type: none"> <li><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)</li> </ul>	<input type="checkbox"/> Status Inquiry <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Return Receipt Postcard</li> <li><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8</li> </ul>
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Terminal Disclaimer <ul style="list-style-type: none"> <li><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application</li> </ul>	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <ul style="list-style-type: none"> <li><input type="checkbox"/> Additional Enclosure(s) (please identify below)</li> </ul>
<input checked="" type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Form PTO-1449</li> <li><input checked="" type="checkbox"/> Copies of IDS Citations</li> </ul>	<input type="checkbox"/> Small Entity Statement <ul style="list-style-type: none"> <li><input type="checkbox"/> CD(s) for large table or computer program</li> </ul>	<b>RECEIVED</b> FEB 26 2004 Technology Center 2100
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Amendment After Allowance <ul style="list-style-type: none"> <li><input type="checkbox"/> Request for Certificate of Correction</li> </ul>	
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul>	<input type="checkbox"/> Certificate of Correction (in duplicate)	

CORRESPONDENCE ADDRESS		SIGNATURE BLOCK	
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Jennifer A. Camacho Attorney for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110  Date: 2/20/04 Reg. No. 43,526 Tel. No.: (617) 248-7476 Fax No.: (617) 248-7100	



2121  
PATENT  
Attorney Docket No. BKE-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ponomarenko  
SERIAL NO.: 10/008,599 GROUP NO.: 2121  
FILING DATE: December 3, 2001 EXAMINER: Not yet assigned  
TITLE: Optical Multi-Gate Device and Method

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20<sup>th</sup> day of February, 2004.

*Wendy Martin*  
Wendy Martin

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RECEIVED

FEB 26 2004

Technology Center 2100

Submitted herewith is/are: Transmittal Form (1 pg.); Supplemental Information Disclosure Statement (2 pgs.); Form 1449 (1 pg.); Cited References AA, AL, AM and AR; Return receipt postcard; and this Certificate of First Class Mail.

VER 9/00  
3016260

RECEIVED  
FEB 3 2004  
TECHNOLOGY CENTER 2100